

Harford County Stormwater Utility Fee Presentation

Water Resources Division
Department of Public Works
Harford County Government

March 19, 2013

House Bill 987

- Maryland Governor Martin O'Malley signed into law House Bill 987 on May 2, 2012
- Requires 9 counties and Baltimore City to establish on or before July 1, 2013 a Watershed Protection and Restoration Program which shall include:
 - A Stormwater Remediation Fee; and
 - A Local Watershed Protection and Restoration Fund
 - Baltimore City
 - Anne Arundel County
 - Baltimore County
 - Carroll County
 - Charles County
 - Frederick County
 - Harford County
 - Howard County
 - Montgomery County
 - Prince George's County



Bill signing for HB 987

House Bill 987

- The fee may be set on a
 - Flat rate
 - Graduated based on impervious surface
 - Another method as selected by the County
- Guidelines to be established for fee reductions for properties with existing advanced stormwater BMPs
- Property may not be assessed by both County and Municipality
- County must
 - Establish an appeal process
 - Determine method of collection

House Bill 987

- The fund to be used for
 - Stream and wetland restoration projects
 - Operation and maintenance of stormwater systems
 - Public education and outreach
 - Stormwater management planning
 - Mapping, assessments, monitoring and inspection
 - Grants to non profit organizations
 - Cost to administer program
- County to establish Financial Hardship Program

NPDES / MS 4 Permit

- A National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Discharge Permit (MS4) is a permit issued by the Maryland Department of the Environment subject to the approval of the federal EPA.
- Local governments are required to obtain a permit in order to legally discharge stormwater into waterways. Requirements of the permit include sediment control, stormwater and pollution prevention programs, litter compliance, watershed monitoring and public outreach.
- The MS4 permit presents a major impact on the county, as we will now be required to treat 20 percent of untreated impervious surfaces to reduce discharge of pollutants to waterways.
- Failure to meet the requirements of the permit could result in costly fines and penalties.
- The cost to meet this requirement is estimated to be between \$70 million and \$90 million over the next 5 year permit term.

Areas Identified In Harford County

12,000 acres of impervious
surface within Harford County

(determined by 2000 land cover data)

MS4 Permit
20% treatment of
impervious area
= 2,400 acres

Approximate cost to treat 1 acre
of impervious surface

\$30,000 – \$40,000

SWAPs – Small Watershed
Action Plans identified by
Water Resources Group

11 SWAPs identified to
meet 20% goal

Additional SWAPs
may be needed

Total Funding Needed

“Full Funded”
\$18 Million / Year for 5 Years

- Meets 20% impervious surface treatment required by NPDES
 - Resources, design, permitting and construction timeframes make this infeasible
-

“Best Effort”
\$10.5 Million / Yearly



\$9 M Capital Budget
\$1.5 Operating Budget

- Meets “best effort” of impervious surface treatment required by NPDES

Developing a Fee Structure

Opinions sought from a variety of stakeholders:

- Citizens (HOA's, Mgt. Companies)
- Development Sector
- Commercial Industry Representatives
- Technical Experts
- Environmental Advisory Board Representative

Numerous ways in which a fee can be structured:

- Flat Fee
- Percentage of Assessed Value
- Based on Square Footage of Impervious Surface

How the Fee Is Calculated

Estimated that approximately \$10,500,000 per year could be expended for the next 5 years or best effort

Total Estimated Required	\$10,500,000
Estimate from Residential Fee	\$ 9,000,000
Estimate from Commercial Fee	\$ 1,500,000

Residential Fee

**“Residential”
\$125 Flat Fee**

- Residential
- Agricultural
 - Improved w/dwelling

72,000 Billable
Residential Properties

$$\$125 \times 72,000 = \$9.0 \text{ M}$$

Non-Residential Fee

“Non-Residential” Per Impervious Unit

Commercial
Apartments
Industrial
Mobile Home Park
Maritime Facility
Fraternal Organization
Religious Institution
Health Care Facility

107,143,000 Billable
Impervious Sq. Ft.

\$0.014 per sq. ft.

1 IU = 500 Sq. Ft.

214,286 Billable IU
x \$7.00 per IU = \$1.5 M

IU - Impervious Unit

Who is Exempt From the Fee?

- Property owned by the State or Federal Government, a Unit of State Government, a county, a municipality or a regularly organized volunteer fire department that is used for public purposes;
- Property located with the Town of Bel Air, Cities of Havre de Grace and Aberdeen;
- Unimproved property;
- A property that is able to demonstrate substantial hardship as a result of the imposition of the fee.

Financial Hardship Exemption

To qualify:

- ▶ Real property shall contain detached single family dwelling or dwelling unit in an attached dwelling or multi-family residential property; and
- ▶ At least one of the property owners shall be an occupant of the property; and
- ▶ At least two of the following 4 criteria shall be met to demonstrate financial hardship:
 - Combined gross income of the property owners does not exceed poverty guidelines;
 - At least one of the property owners who resides at the property receives an energy assistance subsidy;
 - At least one of the property owners who reside at the property receive supplement security income or food stamps; or
 - At least one of the property owners who reside at the property receives Veterans or Social Security Disability benefits.
- ▶ Application shall be submitted to the Office of the Treasurer by October 1 of the tax year for which exemption is claimed

Possible Ways to Lower Your Fee

- ❖ Reduction up to 50% of stormwater fee to be adopted by Rules & Regulations
- ❖ Administrative Appeal

Reduction up to 50% Credit

Rules & Regulations to be adopted by the Department of Public Works and may include:

- Rain Barrels
- Rain Gardens
- Pervious Pavement
- Planting of trees along waterways
- New communities and commercial sites that meet current design standards



Administrative Appeal

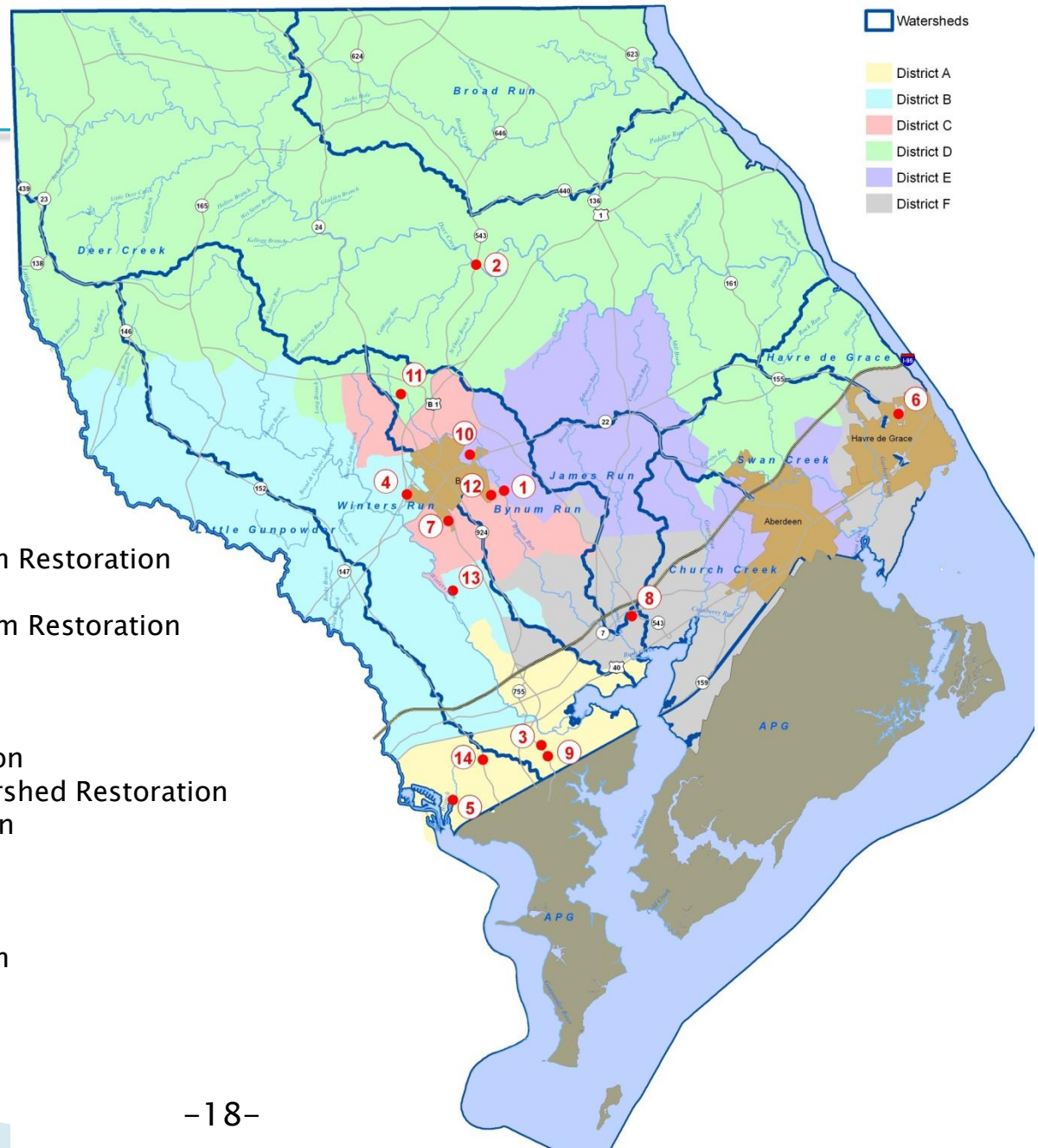
- ▶ Appeal to the Director of Public Works
- ▶ Must be submitted on or before October 1 of the current tax year
- ▶ Grounds:
 - Incorrect identification of zoning
 - For properties subject to fee per impervious unit, errors in the calculation of impervious surface
 - Mathematical errors
 - Property exempted from the fee per Code
 - Error in the identification of the property owner
- ▶ Must be in writing and include detailed statement for grounds of the appeal with supporting documentation

The fee will appear on your property tax bill, similar to how the State's Bay Restoration Fee appears identified as "Maryland Stormwater Fee".

HARFORD COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS

Proposed Projects:

1. Bynum Run / Saint Andrews Stream Restoration
2. Deer Creek Watershed Restoration
3. Edgewood Plaza Retrofit and Stream Restoration
4. Heavenly Waters Run Assessment
5. Joppatowne Watershed Restoration
6. Lilly Run Watershed Restoration
7. Plumtree Run Watershed Restoration
8. Riverside / Declaration Area Watershed Restoration
9. Sams Branch Watershed Restoration
10. Shamrock Run Assessment
11. Spenceola Stream Assessment
12. Sunnyview Stream Restoration
13. Wheel Creek Watershed Restoration
14. Woodbridge Stream Restoration



Thank you for your time.

Department of Public Works
Division of Highways & Water Resources
410.638.3548, Ext. 1360

Stay Informed
www.harfordcountymd.gov

